

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 618 Session of
2007

INTRODUCED BY HANNA, DENLINGER, GEIST, GEORGE, GERGELY, GODSHALL
AND GRUCELA, MARCH 6, 2007

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 6, 2007

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for restoration of
3 firearm rights for offenses under prior laws of this
4 Commonwealth.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. The definition of "disabling offense" in section
8 6105.1(e) of Title 18 of the Pennsylvania Consolidated Statutes
9 is amended and the section is amended by adding a definition to
10 read:

11 § 6105.1. Restoration of firearm rights for offenses under
12 prior laws of this Commonwealth.

13 * * *

14 (e) Definitions.--As used in this section, the following
15 words and phrases shall have the meanings given to them in this
16 subsection:

17 "Disabling offense." A conviction for any offense which:

18 (1) resulted in a Federal firearms disability [and is

1 substantially similar to either an offense currently graded
2 as a crime punishable by a term of imprisonment for not more
3 than two years or conduct which no longer constitutes a
4 violation of law] but is neither a violent crime nor conduct
5 which presently constitutes a violation of the law; and

6 (2) was a violation of either of the following:

7 (i) the former act of May 1, 1929 (P.L.905, No.403),
8 known as The Vehicle Code, or the former act of April 29,
9 1959 (P.L.58, No.32), known as The Vehicle Code; or

10 (ii) the former act of June 24, 1939 (P.L.872,
11 No.375), known as the Penal Code.

12 The definition shall not include any offense which, if committed
13 under contemporary standards, would constitute a misdemeanor of
14 the second degree or greater under section 2701 (relating to
15 simple assault) and was committed by a current or former spouse,
16 parent or guardian of the victim, by a person with whom the
17 victim shares a child in common, by a person who is cohabitating
18 with or has cohabitated with the victim as a spouse, parent or
19 guardian or by a person similarly situated to a spouse, parent
20 or guardian of the victim.

21 * * *

22 "Violent crime." A criminal offense involving either
23 physical injury to a person or use of a firearm.

24 Section 2. This act shall take effect in 180 days.